

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

VINCENT EUGENE WALKER,  
Plaintiff,

v.

Civil No. 3:21cv438 (DJN)

UNKNOWN,  
Defendant.

**MEMORANDUM OPINION**

Plaintiff Vincent Eugene Walker, a Virginia inmate proceeding *pro se*, submitted a letter indicating that he would like to file a civil action against unnamed defendants stemming from his incarceration in Sussex II State Prison. (ECF No. 1.)<sup>1</sup> Plaintiff is a frequent litigant in this Court. By Memorandum Order entered on July 28, 2021, the Court explained to Plaintiff that, to the extent that he does not already have an action pending related to the allegations contained in his letter, he may file a complaint. (ECF No. 2.) The Court directed the Clerk to mail Plaintiff a standardized form for filing a 42 U.S.C. § 1983 complaint. The Court explained that if Plaintiff wished to file a complaint at this time, he should complete and return the form to the Court within fourteen (14) days of the date of entry thereof. The Court noted that if Plaintiff failed to take any action within that time, the Court would dismiss the action without prejudice pursuant to Federal Rule of Civil Procedure 41(b).


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<sup>1</sup> The letter has an identifying civil action number from the United States District Court for the Western District of Virginia, No. 7:19cv345. That case was transferred by the Western District of Virginia to this Court and was opened as *Walker v. Brooks*, No. 3:19cv348 (E.D. Va. May 1, 2019). The case was dismissed subsequently, because Plaintiff failed to file a particularized complaint. *See id.* ECF No. 15–16.

More than fourteen (14) days have elapsed and Plaintiff has not completed and returned the § 1983 complaint form. Accordingly, this action will be DISMISSED WITHOUT PREJUDICE.

Let the Clerk file a copy of this Memorandum Opinion electronically and send a copy to Plaintiff.

An appropriate Order shall issue.

/s/   
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David J. Novak  
United States District Judge

Richmond, Virginia  
Dated: August 24, 2021